

Serial No. 10/615,801

Attorney Docket No. VX032544

REMARKS

Claims 4-16 are pending. Claims 1-3 have been canceled. Claims 11-16 are new. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claim 6 was rejected under 35 USC 112, second paragraph, as being indefinite. The applicant respectfully requests that this rejection be withdrawn for the following reasons.

Claim 6 has been amended to remove the wording that was said to be indefinite. Claim 6 now recites that step (c) and step (d) are performed simultaneously, which is considered to be fully definite. Therefore, this rejection should be withdrawn.

Claims 4-10 were rejected under 35 USC 103(a) as being unpatentable over Voogd (US 3606868). The applicant respectfully requests that this rejection be withdrawn for the following reasons.

The recycling proposed by Voogd, which is described at column 4, lines 42-57 of Voogd, is continuous recycling and thus distinguishable from a series of batch processing steps in claims 4, 7, and 8.

Further, the Voogd patent does not disclose or suggest a process including the use of both a mixing tank and processing means, as required in the present claims. The emulsifying tank 29 of Voogd possibly corresponds to the presently claimed mixing tank. If the emulsifying tank 29 of Voogd corresponds to the presently claimed mixing tank, there is no disclosure or suggestion of an additional processing means in Voogd, as claimed. On the other hand, if the emulsifying

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tank 29 of Voogd corresponds to the presently claimed processing means, there is no teaching of an additional mixing tank in Voogd, as claimed.

For these reasons, claims 4, 7 and 8 cannot be anticipated by the patent to Voogd, and this rejection should be withdrawn.


If this rejection is repeated, the applicants respectfully request that the office action specify what structure of the Voogd apparatus corresponds to the mixing tank and what structure of the Voogd apparatus corresponds to the processing means.

Claims 11-16 are new. These claims further define that the processing means includes a plate having holes therein, and the mixture solutions are passed through these holes. These claims further distinguish the present invention from the method of Voogd.

In view of the foregoing, the applicant submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,


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